

One Hundred Ninth Congress of the United States of America

AT THE FIRST SESSION

*Begun and held at the City of Washington on Tuesday,
the fourth day of January, two thousand and five*

An Act

To temporarily extend the programs under the Higher Education Act of 1965,
and for other purposes.

*Be it enacted by the Senate and House of Representatives of
the United States of America in Congress assembled,*

SECTION 1. SHORT TITLE.

This Act may be cited as the “Second Higher Education Extension Act of 2005”.

SEC. 2. EXTENSION OF PROGRAMS.

(a) GENERAL EXTENSION.—Section 2(a) of the Higher Education Extension Act of 2005 (P.L. 109–81; 20 U.S.C. 1001 note) is amended by striking “December 31, 2005” and inserting “March 31, 2006”.

(b) EXTENSION OF LIMITATIONS ON SPECIAL ALLOWANCE FOR LOANS FROM THE PROCEEDS OF TAX EXEMPT ISSUES.—Section 438(b)(2)(B) of the Higher Education Act of 1965 (20 U.S.C. 1087–1(b)(2)(B)) is amended by striking “January 1, 2006” each place it appears in clauses (iv) and (v)(II) and inserting “April 1, 2006”.

(c) EXTENSION OF EFFECTIVE DATE LIMITATION ON HIGHER TEACHER LOAN FORGIVENESS BENEFITS.—

(1) AMENDMENT.—Paragraph (3) of section 3(b) of the Taxpayer-Teacher Protection Act of 2004 (P.L. 108–409; 20 U.S.C. 1078–10 note) is amended by striking “October 1, 2005” and inserting “June 30, 2007”.

(2) TECHNICAL AMENDMENT.—Section 2 of such Act is amended by inserting “of the Higher Education Act of 1965” after “438(b)(2)(B)”.

(d) EFFECTIVE DATES.—

(1) IN GENERAL.—Except as provided in paragraph (2), the amendments made by this section are effective upon enactment.

(2) EXCEPTION.—The amendment made by subsection (c)(1) shall take effect as if enacted on October 1, 2005.

SEC. 3. ELIGIBILITY PROVISION.

Notwithstanding section 102(a)(4)(A) of the Higher Education Act of 1965 (20 U.S.C. 1002(a)(4)(A)), the Secretary of Education shall not take into account a bankruptcy petition filed in the United States Bankruptcy Court for the Southern District of New York in July, 2005, in determining whether a nonprofit educational institution that is a subsidiary of an entity that filed such petition

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meets the definition of an “institution of higher education” under section 102 of that Act (20 U.S.C. 1002).

Speaker of the House of Representatives.

*Vice President of the United States and
President of the Senate.*